



**Planning Commission
Minutes of the September 13, 2016 Regular Meeting**

The meeting was called to order by Planning Commission Chairman Bianca at 5:30 p.m.

ATTENDEES

PLANNING COMMISSION MEMBERS

Planning Commission Chairman		
Damian Bianca, CAPZO		Present
Planning Commission Vice-Chair		
Troy Wesson, CAPZO		Present
City Council Member		
Michael Potter, CAPZO		Present
Tim Cowles, CAPZO		Present
Cynthia McCollum, CAPZO		Present
Steve Ryder, CAPZO		Present
Cameron Grounds, CAPZO		Present
Lewie L. Bates, CAPZO		Absent
Stephen Brooks, CAPZO		Present

PLANNING STAFF PRESENT

Gary Chynoweth P.E., Director of Engineering; Mary Beth Broeren, Director of Planning and Economic Development; Johnny Blizzard, AICP, Senior Planner; Ross Ivey, Assistant Planner; Kelly Butler, City Attorney; Megan Zingarelli, Assistant Attorney

REGISTERED PUBLIC ATTENDEES

Billy & Anna Stewart, Walter I. Harris Jr., Sharon Gilbreath Heard, Lorene Ragland, John C. Bailey Jr., Sandra Whitworth, Devoise Coleman, Gloria Genge Sanderson, Annie M. Seolt, Fred Stinnett, Melissa Gomez, Kim Chenoweth, Tony Sexton, Mark Richerson, Tim Holtcamp, Jonathan McGee, Jerry McCarley, Martha Sexton, J.W. Kennedy, Troy Holcomb, Sherry Sexton Pruett, Ed Pruett, Karen Denzine, Mark Anderson, Don Spencer Jr., Joe Murphy, James & Roxi Brown, Andy & Vicki Wisner

ACCEPTANCE OF THE AGENDA

Chairman Bianca accepted the agenda as presented.

APPROVAL OF THE MINUTES

Councilman Potter moved to approve the minutes of the August 25, 2016 Regular Meeting. Mr. Ryder seconded the motion.

Final Vote:

Chairman, Damian Bianca	Aye
Vice-Chairman, Troy Wesson	Aye
City Council Member Mike Potter	Aye
Cynthia McCollum	Aye
Steven Ryder	Aye
Cameron Grounds	Aye
Lewie Bates	-----
Stephen Brooks	Abstain
Tim Cowles	Aye
Motion Carried	

OLD BUSINESS

There was no Old Business to discuss.

PUBLIC COMMENTS

There were no public comments.

PUBLIC HEARINGS

Zoning Map Amendments

Lot 4 & 5 Block 2 Chestnut Acres Zoning Request

Zoning Map Amendment request to rezone 0.92 acres from R-1A (Low Density Residential District) to B3 (General Business District).

Location: East of Wall-Triana Highway and south of Chestnut Drive

Applicant: Daryl C. Dufree and William A. and Sue P. Belue

Applicant Comments:

There were no comments from the applicant.

Staff Comments:

Mr. Blizzard informed the Commission that the subject property is located east of Wall-Triana Highway and south of Chestnut Drive. Last month the Planning Commission recommended Lots 3 & 4, Block 1, Chestnut Acres be rezoned from B1 (Neighborhood Business) to B3 (General Business), and this is currently pending City Council approval. Mr. Blizzard stated that the subject property is located immediately across the street from the lots recommended to be rezoned last month. He stated that there is only one residential lot in Chestnut Acres containing a residential dwelling and the area has transformed into a commercial district overtime. He explained that the B3 zoning is compatible to the CN designation on the future land use map. Mr. Blizzard concluded that staff recommends approval of the rezoning request.

Public Comments:

There were no comments from the public.

Commission Comments:

There were no comments from the Commission.

Motion:

Mr. Brooks motioned to approve the request to rezone Chestnut Properties from R1A to B3 and forward to the City Council for adoption. Mr. Cowles seconded the motion.

Final Vote:

Chairman, Damian Bianca	Aye
Vice-Chairman, Troy Wesson	Aye
City Council Member Mike Potter	Nay
Cynthia McCollum	Aye
Steven Ryder	Aye
Cameron Grounds	Aye
Lewie Bates	----
Stephen Brooks	Aye
Tim Cowles	Aye

Motion Carried

Tract B Piney Creek Zoning Request

Zoning Map Amendment request to rezone 11.97 acres from AG (Agriculture) to RC-2 (Residential Cluster Zone 2).

Location: South of Powell Road and west of Segers Road

Applicant: Belle Mina Land Company, LLC

Applicant Comments:

There were no comments from the applicant.

Staff Comments:

Mr. Blizzard informed the Commission that the subject property is located south of Powell Road and west of Segers Road. The applicant is requesting to rezone 11.97 acres of a 19.41 acre tract from AG (Agriculture) to RC2 (Residential Cluster Zone 2). The remaining 7.44 acres of Tract B will remain zoned AG. Mr. Blizzard added that a development plan is required with any zoning map amendment for RC2. Mr. Blizzard discussed the development plan submitted and referenced the 3.20 acres proposed to be "set aside". This area will be dedicated to the City for use as a greenway and floodway, in conjunction with a preliminary plat.

Mr. Blizzard stated that the Future Land Use Map designates much of the subject property as OS (Open Space), which at the time the Future Land Use Map was last amended was overlaid with Flood Zone A, which is an unstudied floodplain. Since that time, the floodway has been studied and has a designation of Flood Zone AE. The new designation provides for more exact boundaries of the floodway and

floodplain allowing for more of the subject property to be developed. The remaining portion of the subject property has a land use designation of R (Residential). Mr. Blizzard added that the West Side Master Plan calls for a portion of the property where the floodway is located to be used as Park and Natural Area, while the remaining portion is designated as SSF (Suburban Single-Family). He concluded that the property meets all of the overall requirements for RC2 zoning and that staff recommends approval of the request.

Public Comments:

There were no comments from the public.

Commission Comments:

Mr. Wesson referenced the rezoning that was tabled the previous month, but stated that it was seeking the R-3A zoning as the reason.

Councilman Potter stated that this was a “strategic gain” for the city and that it provides greenspace and greenway. He feels that this is a key piece of land for the city to get.

Mr. Brooks asked about the long piece of property to the north. Mr. Blizzard answered that it is an access road to Segers Road, approved as the Creekside plat, and that it will not be dedicated at this time.

Motion:

Councilman Potter motioned to approve the rezoning request from AG to RC2 for Tract B, Piney Creek Subdivision and forward to the City Council for adoption. Mr. Brooks seconded the motion.

Final Vote:

Chairman, Damian Bianca	Aye
Vice-Chairman, Troy Wesson	Aye
City Council Member Mike Potter	Aye
Cynthia McCollum	Aye
Steven Ryder	Aye
Cameron Grounds	Aye
Lewie Bates	----
Stephen Brooks	Aye
Tim Cowles	Aye

Motion Carried

Subdivision Plats

Madison Midtown

Preliminary Plat for 9 single family residential lots

Location: 4260 Sullivan Street, 4250 Sullivan Street, and 4244 Sullivan Street (West of Sullivan Street and north of Arnett Street)

Applicant/Owner: Mark E. Harris

Applicant Comments:

There were no comments from the applicant.

Staff Comments:

Mr. Blizzard informed the Commission that the project request was for a preliminary plat consisting of five residential lots fronting Sullivan Street and four residential lots fronting Arnett Street. Each of the lots will have vehicular access from alleys abutting the rear yard. The only construction to take place with this preliminary plat is the extension of sanitary sewer and sidewalks along the abutting street.

Mr. Blizzard also stated that Staff recommended the applicant request a variance to Section 4-4 of the Subdivision Regulations to not require the approval of layout for this project. An expansion of the subdivision beyond the nine residential lots and likely future phases is not anticipated. Mr. Blizzard added that the subject properties are designated with the land use category CBD (Central Business District). All zoning districts are compatible with this land use. Also, the proposed five lots fronting Sullivan Street are wholly within the Madison Station Historic District and a portion of lot 6, which fronts Arnett Street, is also in the Historic District.

Mr. Blizzard concluded that staff recommends approval of the preliminary plat because it is compliant with all applicable City regulations, and it represents new development in an area of the City that has been economically depressed for a long time.

Public Comments:

Sharon Gilbreath, 210 Arnett Street, presented a letter to the Planning Commission to be included in the minutes (attached) on behalf of Samuel Gideon and heirs. She also stated that she feels this project will have an adverse impact on the Pension Row community.

Commission Comments:

Mrs. McCollum questioned the letter presented before the Planning Commission specifically relating to the timeline for Federal investigation. Kelly Butler answered that the City of Madison received a letter from the Department of Interior on September 6, 2016 stating that they would be conducting an on-site investigation. The City is instructed in the letter to complete and return the packet provided by September 23, 2016 so that the investigation can take place sometime in September or October. She stated that the City has had no direct communication with them other than the letter. She also mentioned that she is not finding any federal funding has been used in the area such that the Department of the Interior would have jurisdiction to continue the investigation. She concluded that the investigation has no direct impact or correlation to the project request at hand, and that it will not hurt, hinder, or enhance this project whatsoever.

Mr. Brooks asked where the investigation originated. Mrs. Butler answered that Mrs. Gilbreath submitted a complaint to prompt the investigation.

Councilman Potter asked if the property was in Pension Row, and staff replied that it was not.

Chairman Bianca asked if the Historic Preservation Commission (HPC) had any issues with moving forward with the project. Mrs. Butler answered that the City had not received the letter when the Historic

Preservation Commission had met earlier in the month. Mrs. Broeren added that the homes to be built in the historic district would require HPC approval.

Chairman Bianca asked staff if there was any harm in delaying the project a month. Mr. Blizzard answered that he was not aware of any deadlines, however, the plat is in order and there are only 30 days to act on it.

Mr. Brooks followed Chairman Bianca's question asking if there were any issues that would be resolved in a month pertaining to the letter. Mrs. Butler answered that she did not feel any resolution would be made in a months' time and that legally she sees no issue moving forward.

Councilman Potter asked what the compliant was about. Mrs. Butler replied that it was adverse impact on services that are received elsewhere in the city. Councilman Potter stated he did not see any issues with the plat and that he did not agree with the argument of increased traffic to the area because the homes would all have rear entry access. He then asked if the right-of-way along Arnett would be widened. Mr. Blizzard answered that the property would be widened.

Mrs. McCollum asked about the Engineering comments for sidewalk on Sullivan Street. Mrs. Broeren clarified that it related to the location of meter boxes.

Motion:

Mr. Brooks motioned to approve the variance to Section 4-4 of the Subdivision Regulations. Mr. Cowles seconded the motion.

Final Vote:

Chairman, Damian Bianca	Aye
Vice-Chairman, Troy Wesson	Aye
City Council Member Mike Potter	Aye
Cynthia McCollum	Aye
Steven Ryder	Aye
Cameron Grounds	Aye
Lewie Bates	-----
Stephen Brooks	Aye
Tim Cowles	Aye

Motion Carried

Mr. Brooks moved to approve the preliminary plat and construction plan for Madison Midtown subject to the following comments:

Planning Department Comments

- 1) Insert sanitary sewer profile sheet
- 2) Correct Madison Utilities certificate

Engineering Department Comments

- 1) Engineering will need additional information to determine if improvements to Stewart Street are required
- 2) Provide storm water retention/detention meeting the City's MS4 requirements

Mr. Cowles seconded the motion.

Final Vote:

Chairman, Damian Bianca	Aye
Vice-Chairman, Troy Wesson	Aye
City Council Member Mike Potter	Aye
Cynthia McCollum	Aye
Steven Ryder	Aye
Cameron Grounds	Aye
Lewie Bates	----
Stephen Brooks	Aye
Tim Cowles	Aye

Motion Carried

Bendickson Estates

Certified Plat to consolidate two parcels into one lot
 Location: South of Tribble Lane and west of Burgreen Road
 Applicant/Owner: Jon and Michelle Bendickson

Applicant Comments:

There were no comments from the applicant.

Staff Comments:

Mr. Blizzard informed the Commission that the consolidation of the two parcels is being requested as part of the applicant's plans to demolish the existing house fronting Tribble Lane and construct a new house, as well as a new barn, detached garage and swimming pool. The property was approved for annexation and zoned R1A (Low Density Residential) by the City Council on August 8, 2016. Mr. Blizzard concluded that the certified plat is in conformance with all applicable City regulations and achieves the goals mentioned in the Growth Plan and indirectly the draft West Side Master Plan and staff recommends approval with the contingencies listed in the staff report.

Public Comments:

There were no comments from the public.

Commission Comments:

There were no comments from the Commission.

Motion:

Mr. Ryder motioned to approve the certified plat for Bendickson Estates with the following contingencies:

Planning Department Comments:

- 1) Add new note stating square footage of right-of-way to be dedicated with the recording of this plat. The notes should point to the areas of the dedications

2) Signatures:

- 1) Dedication Certificate
- 2) Notary's Acknowledgement
- 3) Health Department

Mr. Brooks seconded the motion.

Final Vote:

Chairman, Damian Bianca	Aye
Vice-Chairman, Troy Wesson	Aye
City Council Member Mike Potter	Aye
Cynthia McCollum	Aye
Steven Ryder	Aye
Cameron Grounds	Aye
Lewie Bates	----
Stephen Brooks	Aye
Tim Cowles	Aye

Motion Carried

Colinwood Estates, Phase IX

Final Plat for 13 single family residential lots

Location: Southern end of Meadow Glade Lane

Applicant/Owner: Campbell & Mance Resources, LLC

Applicant Comments:

Troy Holcomb, representing J.W. Kennedy Land Survey, presented the request on behalf of the owner.

Staff Comments:

Mr. Blizzard informed the Commission that the request is to approve 13 lots on 3.80 acres with an average lot size of 11,024 square feet. Mr. Blizzard added that the proposed subdivision meets all applicable regulations and construction has been completed. The Engineering Department has inspected the subdivision, and it has passed all inspections. He concluded that Staff recommends approval given the contingencies listed in the staff report.

Public Comments:

Devoise Coleman, 172 Jarret Lane, stated that Madison Utilities took down a fence at his neighbor's property to put in a water line and was curious if this was allowed. Chairman Bianca answered that the utilities are allowed to access the property as long as there is an easement in place.

Commission Comments:

There were no comments from the Commission.

Motion:

Mr. Brooks motioned to approve the final plat for Colinwood Estates, Phase IX with the following contingencies:

Planning Department Comments:

- 1) Signatures:
 - 1) Dedication
 - 2) Notary's Acknowledgement
 - 3) Flood Certificate
 - 4) Certificate of Accuracy
 - 5) Surveyor's Certificate and Description of Land Platted

Mrs. McCollum seconded the motion.

Final Vote:

Chairman, Damian Bianca	Aye
Vice-Chairman, Troy Wesson	Aye
City Council Member Mike Potter	Aye
Cynthia McCollum	Aye
Steven Ryder	Aye
Cameron Grounds	Aye
Lewie Bates	-----
Stephen Brooks	Aye
Tim Cowles	Aye
Motion Carried	

Resolution to adopt West Side Master Plan

Applicant & Staff Comments:

Carol Rhea, consultant with Orion Planning and Design presented the request to the Planning Commission. Mrs. Rhea stated that this planning process started one year ago and thanked the Commission and all parties involved who have worked on the plan. She provided a brief overview of the plan and its components specifically the executive summary and the place types. Mrs. Rhea stated that Planning Staff received 17 written comments when the draft plan was released and that the Steering Committee with the assistance of Planning Staff analyzed and addressed those comments.

Mary Beth Broeren, Director of Planning and Economic Development added that throughout the course of the planning process, the Planning Department did quite a bit of outreach in hopes to garner public participation. She mentioned that many of the HOA's located in the area, developers, and land owners were sent notification of public involvement sessions as well as the City advertised its meetings in the Madison Record. Mrs. Broeren concluded that this plan, if approved, will go before the City Council for acknowledgement. This step is not required, but it was done with the Growth Plan and Staff felt the need for consistency.

Public Comments:

Donnie Spencer Jr., 1136 Morris Drive, informed the Commission that he was very appreciative of the planning process and thanked staff for notifying the developers. He stated that he is completely disgusted with the actions of the Planning Commission and City Council diminishing residential growth for Madison, as Madison has been founded on residential development. He feels that the West Side Master Plan is ignorant of economic reality, in proposing commercial uses where it will never occur. Mr. Spencer asked where the funding for all of the proposed new roads would come from as he has lived here for 47 years and can remember only four new roads in that timespan. Mr. Spencer also stated that he had issues with the "Rural Transitional Areas" and feels that there is no need for these in the future. Mr. Spencer continued that he does not agree with the Financial Impact study which stated "If growth continues the way it has, we will be bankrupt". Mr. Spencer also had concerns with the locations of community facilities and stated that he felt it was "condemning the owner's property by insinuation". Mr. Spencer concluded by asking the Planning Commission not to adopt the plan.

Mr. and Mrs. Sexton 28714 Powell Road and 125 Fox Lake Drive, informed the Commission that they own 65 acres within the study area of the plan and feel that there is more work to be done on the plan before it is adopted. They stated that Mr. Joe Murphy met with them and had a development plan which was presented to the city and the plan was denied. Mrs. Sexton asked if the City plans to pay top dollar for their property and indicated they were not contacted.

Mary Beth Broeren, Planning and Economic Development Director, responded that she met with Joe Murphy earlier in the day and that the city did not deny this plan and that Mr. Murphy mischaracterized the city's response. She added that the West Side Master Plan was a result of a study for all Madison, not individual property owners. In regards to the residential development, there are over 1600 units that have been approved and not yet built. Mrs. Broeren added that this plan is not zoning property and the rezoning process would still be required for any type of development. Mrs. Broeren concluded that the City understands private property rights and in no way indicated to Mr. Murphy that this development would be denied.

Kelly Butler, City Attorney, responded that this plan is not condemnation of property, and the city understands and will follow proper channels if acquisition of property is needed at that time.

Joe Murphy, 1024 Sienna Vista Drive, apologized for the misinterpretation of the review of the site plan. He stated that he feels the Home Builders Association has been at a disadvantage and needs more builder input before the plan is adopted. He added that the market determines housing product and requested that the item be delayed for an economic impact study for infrastructure that would be needed to serve the build out of the area.

Mark Richerson, 1012 Sienna Vista Drive, stated that the Vision Map is not a mandate, but feels confident that city staff will work with him to help get the best use of the property that he owns in the area. He added that he would like for the city to consider updating the Major Street Plan 2035 and also get with property owners regarding annexation of property near Henderson Lane. Mr. Richerson concluded by thanking city staff for the public involvement throughout the course of the planning process.

Andy Wisner, discussed the reservations that he had with ball fields to be included in the parks and natural area. Vicki Wisner added that overall, she liked the plan, but had concerns with financing and issues with athletic fields to be located near their property. She added that she felt the city did a poor job of noticing property owners.

Mary Beth Broeren addressed the public noticing requirements and also referenced the Parks & Rec Master plan and 2035 Major Street Plan.

Joe Murphy expressed concerns with financial risk of the plan. Chairman Bianca responded that there is a major risk of doing nothing within the focus area. Mrs. Butler added that the Master Plan is not dictating and that the requests would be taken in totality. Mrs. Broeren added that the plan is not dictating neo-traditional development styles.

Commission Comments:

Mrs. McCollum reiterated that the plan is a guide and that she was bothered by the previous statements regarding condemnation of property.

Councilman Potter recognized Tim Holtcamp and his input on the School Board and the Steering Committee. He also recognized Mark Richerson and his comments and thanked him for his input throughout the process. Councilman Potter stated that this plan does not dictate anything and he has never heard of the city condemning property for ball fields. He concluded that he humbly disagreed with the statements regarding the economic analysis completed and further addressed the components involved in the economic study.

Mr. Brooks stated that his issue with the West Side Master Plan is not the document itself, but that this plan has more weight on the City and with implementation. He feels that the plan is dictating growth and how it will occur.

Councilman Potter added that this dialogue needs to start happening to address how to handle growth.

Mr. Ryder added that the Planning Commission is required by law to have a comprehensive land use plan, and this area has had a poor land use plan and he feels the West Side Master Plan is a way to address or revisit that plan and it meets the Planning Commission's legal requirement.

Mary Beth Broeren added that this is the city's first attempt at really analyzing this area and the growth associated.

Mrs. McCollum thanked the Planning Staff and the consultant for their hard work and all of the efforts taken for public involvement, notification, and the plan itself.

Mr. Grounds reiterated that the plan is a guide, not a mandate.

Councilman Potter noted the in depth environmental data and analysis in this plan.

Mr. Cowles reiterated the framework of the plan and stated that this is no road block for plans getting to the Planning Commission. He stated he feels that economics drive development and feels this plan is a good product.

Chairman Bianca thanked all of the Commission and general public as well as the consultant and Planning Department staff for all of the hard work put into the planning process and stated that it is great to have a vision for the area moving forward. He acknowledged that the plan will change overtime, but feels that this is a good starting point.

Motion:

Councilman Potter motioned to approve Resolution No. 2016-001-PC adopting a West Side Master Plan. Mr. Grounds seconded the motion.

Final Vote:

Chairman, Damian Bianca	Aye
Vice-Chairman, Troy Wesson	Aye
City Council Member Mike Potter	Aye
Cynthia McCollum	Aye
Steven Ryder	Aye
Cameron Grounds	Aye
Lewie Bates	-----
Stephen Brooks	Nay
Tim Cowles	Nay

Motion Carried

(PUBLIC HEARING CLOSED)

New Business

There was no new business to discuss.

ADJOURNMENT

Chairman Bianca adjourned the meeting at 7:40 p.m.

September 11, 2016

Mr. Johnny Blizzard, AICP
Senior Planner
City of Madison
Planning & Economic Development Department
100 Hughes Road
Madison, Alabama 35758

Dear Mr. Blizzard,

Please accept this letter as a ***Request to Delay Lot Development and Construction of the Madison Midtowne Project*** along with any further actions on the above new housing development. This project will have significant adverse impact on the historic Pension Row Neighborhood. We are requesting that there be no further official city entity decisions made on **any** demolition of historic structures or new development projects, that will affect residents of the Pension Row Neighborhood. We are only requesting a delay on this project until the developing federal On-Site Compliance Review within the City of Madison, Alabama has been completed. There has been a complaint filed on behalf of the residents of Pension Row Neighborhood against sections of Title VI of the Civil Rights act of 1964. This complaint is being processed by the National Park Service (NPS), and the Office of Equal Opportunity, Public Civil Rights Team (PCR). The City of Madison has been made aware of the above complaint, as well as, given prior notice of the forthcoming federal compliance review and internal investigation. It is my hope, that a Section-106 Review can also be completed, due to the severity of adverse impact that this proposed new housing development project will encompass. (***Please review all attachments***).

On September 1, 2016, I appeared in front of the zoning board to request the same above delay, however was unable to completely give detailed reasons for being in opposition of this project, due to the very disrespectful treatment given by Ms. Kelly Butler, City Attorney for Madison, Alabama. Because of, Ms. Butler's official title and position within the City of Madison, she insinuated that I had no right to show up at a zoning board meeting and request such a delay. In view of, Ms. Butler's very rude attitude, harassing type behavior, and derogatory verbiage. I felt very intimidated and somewhat threatened. In the process of my trying to complete a sentence, she kept interrupting me, I felt a sense of humiliation, due to her continuous attempts to demean my character. Therefore, I just stop speaking with her and continued to state my reasons for coming in front of the zoning board. However, after listening to my statements of opposition, the four members of the zoning board unanimously approved Mark E. Harris, LLC requested variance, per MSHPC Certificate of Appropriateness and Planning Commission Staff Reports, dated September 13, 2016.

As evident by an official Letter of Support from Commissioner Jeanne Steadman, Historic Liaison and your official minutes or meeting agendas by the Madison Station Historic Preservation Commission (MSHPC), Zoning Board of Adjustments & Appeals

(ZBA), and City of Madison Alabama Planning & Economic Development Department, this project is being supported and is already approved by all of the above city entities. Regardless of the fact, that not all of the residents that this project will affect have been given their *Due Process of Law* for addressing their concerns within the internal proceedings or actions taken by City of Madison, Alabama in reference to this project.

Reasons for Opposition

First, there has been a severely flawed process of the quick demolition of the house and shed, not giving the neighboring property owners sufficient time and due process to object or have any input on this matter. Because of this, there are now several conflicts of interests and/or violations against the following: Alabama Ethics Commission; Alabama Code, Section 28; Madison, Alabama - Code of Ordinances, Chapter 28 Planning & Development; MSHPC Article 1-E; and City of Madison, Alabama Ordinance 2008-269, Amended 2012. *However*, these factual and bias actions will be further discussed within its own legal plan of action. ***Please review the attached documents.***

Second, with my being a member of the preservation community, I am deeply concerned that demolition has occurred within the boundaries of a designated historic district, that is listed on both State and National Historic Registers. Despite the demolished house being listed as "Non-Contributing" on the historic survey inventory, it did not have to be torn down, this house for years held significance to both historic communities. With that said, at a minimum, it could have been moved to a nearby lot and utilized by a family in need of housing. Unfortunately, the proposed new housing project will interrupt the overall character of both neighborhoods, by being placed between two residential historic districts, locally designated or not. Instead of building tall non-conforming two-story houses to hide the historic Pension Row Neighborhood, the City of Madison and MSHPC should be encouraging adaptive reuse of threatened historic structures...not leaving them to be burn or torn down!

Third, this proposed new housing project will introduce a higher density development and a different mix of uses for this neighborhood. Also, it will impact the *neighborhood's character: historic & cultural resources, public safety, and transportation*. For example; this project will cause significant traffic impact adding vehicles to our local thoroughfare streets, both Stewart and Arnett Street. For instance, per the City of Madison's Pavement Surface Evaluation and Rating (PASER) Report, Stewart Street has a rating of 6 (*slight raveling, longitudinal cracks, etc.*). Moreover, Arnett Street which has never meet the size requirements for a standard two-way street, has a rating of 4 (*severe surface raveling, multiple longitudinal and transverse cracking, block cracking over 50%, etc.*). This proposed project will increase traffic at the intersections, creating congestion or delay to get onto our public streets (Sullivan and Pension Row).

Fourth, this project may endanger public safety for the elderly and children living or visiting within the Pension Row Neighborhood. Please be mindful, that the historic Pension Row Neighborhood does not have any sidewalks. Therefore, when just taking a walk, we are basically in the streets.

Finally, a majority of the elderly must actually cross a public street to get to their mail boxes. The City of Madison has neglected to install necessary forms of traffic calming devices (*i.e. speed humps, vertical deflection devices, speed limit signage, etc.*) in order to improve our safety conditions. However, it seems that Mark E. Harris, LLC and the above mentioned city entities feel that it is fitting to add additional traffic and vehicles within our neighborhood because others would prefer to look at a new subdivision verses an ethnic revitalized historic district. The city entity as a whole, staff members, commissioners, and others have failed to develop and adhere to standards and guidelines, that are appropriate for protecting **our** historic resources; community's unique character; environment; and overall quality of life.

In my opinion, it is the intent of the City of Madison and MSHPC to "Gentrify" the historic Pension Row community, thereby assisting and allowing others to severely diminish and/or destroy its historic significance. It would have been a good faith effort to request that a **Neighborhood Character Assessment** be performed prior to approval of any form of demolition. Yet, on the other hand, per the Planning Commission Staff Report, dated September 13, 2016, a **Preliminary Plat and Construction Plan Approval and Variance to Section 4-4 of Subdivision Regulations to not require a Layout is being supported**. Now...with this recommendation, the City Engineering Department does not believe a site assessment is even warranted for a new subdivision that is being built in the middle of two historic districts... Wow!

Notably, the demolished historic structures would have qualified as contributing with architectural significance and integrity, if the city's 2006 National Register of Historic Places nomination was up to date. Therefore, if the MSHPC would have consulted an historic preservation professional to guide them, an informed decision could have been made, that would have benefited both historic districts. The Madison Station Historic District is desperately in need of a **Historic Resource Re-Survey** and the Pension Row Neighborhood is in need of an immediate **Intensive Historic Resource Survey** so that uneducated and bias decisions are not made in the future.

In reviewing the Planning Commission Staff Report, dated August 25, 2016, I noticed that Jim McElroy, the owner of McElroy Land Surveying company has been listed as the Applicant. In addition, the variance letter received by adjoining property owners to this new housing development site was sent on a City of Madison letterhead, but mailed certified in McElroy's business envelope. Is Mr. McElroy a part of the Planning Commission and/or a staff member of the City of Madison? I must say, this whole project has me and many others confused and feeling left out of all of the decision making processes. It is my hope that this entire project can be delayed for the purpose of researching and reviewing accurate details with additional investigative reports of the adverse impact it will have on the historic downtown commercial district and both historic downtown residential districts, locally designated or NOT.

Respectfully,
Sharon Gilbreath-Heard
Resident of Historic Pension Row Neighborhood

Minutes Approved

A handwritten signature in black ink, appearing to read "Damian Bianca", written over a horizontal line.

Damian Bianca, Chairman

ATTEST:

A handwritten signature in blue ink, appearing to read "Ross Ivey", written over a horizontal line.

Ross Ivey, Assistant Planner and Recording Secretary